

REMARKS

Claims 1-15 are pending in this application. By this Amendment, claims 1 and 14 are amended.

Entry of the amendments is proper under 37 C.F.R. §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed during prosecution; (c) do not present any additional claims without canceling a corresponding number of filed rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they create a nexus between arguments contained in the Request for Reconsideration filed March 14, 2005, as requested by Supervisor Barlow at the interview held April 19, 2005. Supervisor Barlow is also thanked for indicating during the April 27, 2005 telephone interview that these amendments would be entered.

On pages 2-4, the Office Action rejects claims 1, 4, 7, 12, 14 and 15 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,600,808 to Takada et al. (hereinafter "Takada"). This rejection is respectfully traversed.

On pages 4-5, the Office Action rejects claims 8 and 9 under 35 U.S.C. §103(a) as being unpatentable over Takada in view of U.S. Patent No. 5,297,254 to Arai et al. (hereinafter "Arai"). This rejection is also respectfully traversed.

The foregoing rejections are repeated verbatim as they appeared in the Office Action mailed December 14, 2004. Thus, the reasons for the traversal are contained in the Request for Reconsideration filed on March 14, 2005 in response to the earlier Office Action.

The current Office Action responds to those arguments on page 6-7. In the second paragraph on page 7, the Office Action refers to a feature not explicitly in the claims. The

amendments to claims 1 and 14 make this feature explicit in the claims. In that paragraph, the Office Action argues that Takada discloses automatically calculating a portion to be measured. In support of this assertion, the Office Action cites col. 4, line 59 of Takada where an edge detection tool analyzes the edge to be measured. It is respectfully asserted that the disclosure of analyzing an edge to be measured does not anticipate the recitation of automatically calculating in the rejected claims because the analysis in Takada is not performed automatically. Rather, it is performed by operator action.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-15 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: July 21, 2005

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